

**Amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Liquor Licenses.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 362.35 of the above-entitled ordinance be amended to read as follows:

**362.35. Temporary on-sale liquor license.** (a) A club or charitable, religious or other nonprofit corporation in existence for at least three (3) years or a political committee registered under Minnesota Statutes Section 10A.14 may obtain an "on-sale" license to sell liquor for consumption on premises specified in the license, including school buildings and school grounds.

(b) Application for temporary on-sale liquor license shall be made on forms provided by the director and shall contain the following:

(1) The name, address and purpose of the organization, together with the names and addresses of its officers and evidence of nonprofit status or of its status as a club under section 360.10 above.

(2) The purpose for which the temporary on-sale liquor license is sought, together with the place, dates and hours during which liquor is to be sold.

(3) Consent of the owner or manager of the premises, or a person or group with lawful responsibility for the premises.

(4) A specific description of the area in which alcoholic beverages are to be dispensed and consumed which area shall be compact and contiguous in accordance with section 360.15.

(5) Such other information as the director may deem necessary.

(c) A temporary on-sale liquor license may be issued subject to the following conditions:

(1) Such license shall be issued for a period not to exceed six (6) consecutive days.

(2) No individual organization shall be granted more than three (3) four-day, four (4) three-day, six (6) two-day or twelve (12) one-day licenses in any combination not to exceed twelve (12) days per calendar year.

(3) The overall purpose of the license shall be to enhance the stated purpose of the applicant organization and no private organizer or promoter shall derive excessive profits from the event. The director

may require presentment of the temporary licensee's and full year on-sale licensee's books of account and contracts entered into for purposes of the event to aid in the determination of compliance with this section.

(4) No such license shall be issued for the sale of liquor on school grounds or in school buildings or within three hundred (300) feet thereof when regularly scheduled classes are being held in the school.

(5) No more than twelve (12) licenses shall be granted in any one calendar year at any location.

(6) The licensee must contract for liquor services with the holder of a full-year on-sale intoxicating liquor license issued by the City of Minneapolis whose employees have received training within the twelve (12) month period preceding the event under an approved alcohol server awareness program and who provides evidence of liquor liability insurance covering the event.

(d) The fee for a temporary liquor license shall be ~~one hundred fifty eight dollars (\$158.00) (two hundred thirty six dollars (\$236.00) director granted) per day for events with a projected attendance of less than ten thousand (10,000) persons and two hundred sixty three dollars (\$263.00) (three hundred ninety four dollars (\$394.00) director granted) per day for events with a projected attendance of more than ten thousand (10,000) persons, additionally events with a projected attendance of more than ten thousand (10,000) persons shall pay an investigation fee of five hundred dollars (\$500.00) for the first application for a temporary liquor license.~~ as established in Appendix J, License Fee Schedule.

(e) Entertainment. A temporary on-sale liquor licensee may present entertainment as set forth in section 362.30(b) through (f) for an additional fee ~~of sixty two dollars (\$62.00) per day~~ as established in Appendix J, License Fee Schedule.

(f) The city council may deny, revoke, suspend a license for any of the following reasons:

(1) The existence of temporary liquor disturbs the peace, quiet or repose of surrounding residential or commercial areas.

(2) The existence of temporary liquor contributes to crime, disorderly behavior, noise, traffic, litter or parking problems in the area near the establishment.

(3) Any violation of the laws relating to the sale or service of alcoholic beverages.

(4) Licensee's refusal to supply books of account and contracts pertaining to the event as set forth in section 362.35(c)(3).

(5) Any violation of the terms of this section.

(6) Any other good cause related to the operation of the establishment.

(g) Licenses issued under this section are subject to all laws and ordinances governing the sale of intoxicating liquor except those laws and ordinances which by their nature are not applicable.

(h) Director of licenses and consumer services to grant temporary on-sale liquor license in certain instances. When an application for a license for temporary on-sale liquor has been filed too late to be considered on the regular agendas of the public safety and regulatory services committee and the city council prior to the scheduled date of the event, the director of licenses and consumer services may issue the license if the application is filed and complete, the fee including a fifty (50) percent late fee has been paid, and the required conditions listed above have been met. The director may also deny, suspend or revoke those licenses which he/she has issued based on the reasons listed above for which the city council may deny, suspend or revoke such licenses. The issuance of a temporary on-sale liquor license is subject to compliance with all applicable health and safety laws. Concurrence with the issuance of the temporary on-sale liquor license shall be obtained from the chair of the public safety and regulatory services committee and the council member representing the affected ward prior to the issuance of the license.

Section 2. That Section 362.36 of the above-entitled ordinance be amended to read as follows:

**362.36. Temporary expansion of premises license.** (a) On-sale liquor establishments may obtain a temporary expansion of premises license for premises directly adjacent and contiguous to a permanently licensed premises.

(1) Application for a temporary expansion of premises license shall be made on forms provided by the director and shall contain the following:

a. The name and addresses of the on-sale license holder and its owners, officers or partners.

b. A specific description and diagram of the area in which the temporary expansion activity is to occur. This area must be compact and contiguous to the permanently licensed premises, and be contained by physical enclosure devices.

c. Written consent of the owner or manager of the premises, or a person or group with lawful responsibility for the premises.

d. The purpose for which the temporary expansion is sought, and a description of the planned activities including projected attendance, entertainment, food and beverage service, security plans, and hours of operation.

e. Proof that auxiliary permits for purposes of amplified music, short term food, block event, temporary structures, temporary utilities, etc., Have been obtained.

f. Such other information as the director may deem necessary.

(2) No individual licensee shall be granted such license for outdoor premises more than four (4) times per calendar year, unless the permanently licensed premises is located within an area commencing at the point where the Interstate Highway 35W right-of-way intersects South Seventh Street; thence northwesterly along the centerline of South Seventh Street to the centerline of Park Avenue South; thence northeasterly to the centerline of Washington Avenue South; thence southeasterly to the point where Washington Avenue South intersects with the Interstate Highway 35W right-of-way; thence southwesterly along said right of way to the point of beginning.

(3) The applicant shall file proof that the liability insurance required by this code of ordinances and by Minnesota Statutes Chapter 340A apply to the expanded area.

(4) The hours of operation of a temporary expansion of premises license shall not exceed those hours authorized at the permanent premises, or any lesser hours specified as a condition of the temporary expansion of premises license.

(5) The city council may authorize an establishment to conduct entertainment in the expanded area not otherwise allowed under its permanent license. Application for such permit shall be filed with the department of licenses and consumer services on a form prescribed by the director. The application for a temporary entertainment license shall indicate in detail the type of entertainment to be provided. The fee for a temporary entertainment license shall be ~~one hundred eighty dollars (\$180.00)~~ as established in Appendix J, License Fee Schedule.

(b) Director of licenses and consumer services to grant temporary expansion of premises and temporary entertainment licenses in certain places. When an application for a permit for temporary expansion of premises has been filed too late to be considered on the regular agendas of the public safety and regulatory services committee and the city council prior to the scheduled date of the event, the director of licenses and consumer services may issue the permit if the following conditions have been met:

(1) The application form has been completed and filed.

(2) The fee, including a fifty (50) percent late fee has been paid.

(3) The applicant has not been denied an application for temporary expansion of premises by the city council since any temporary expansion granted within the previous eighteen (18) months.

(4) The premises have not been designated by resolution of the city council pursuant to subsection 362.36(c) as requiring city council approval for a temporary expansion of premises.

(c) The city council may by resolution establish a list of premises for which a temporary expansion of premises must be approved by the city council and for which the director may not issue a permit for a temporary expansion under subsection 362.36(b).

Section 3. That Section 362.50 of the above-entitled ordinance be amended to read as follows:

**362.50. License fees established.** (a) The annual fees for the licenses required by this chapter shall be as follows: established in Appendix J, License Fee Schedule.

~~For a Class A "on sale" liquor license . . . \$7,820.00~~  
~~For a Class B "on sale" liquor license . . . 6,578.00~~  
~~For a Class C 1 "on sale" liquor license . . . 6,171.00~~  
~~For a Class C 2 "on sale" liquor license . . . \$5,652.00~~  
~~For a Class D "on sale" liquor license . . . 5,028.00~~  
~~For a Class E "on sale" liquor license . . . 4,717.00~~  
~~For a special license permitting the sale of intoxicating liquors on Sunday . . . 200.00~~  
~~For an "off sale" liquor license . . . 1,000.00~~  
~~Plus an additional fee for the sale of food and ice . . . 178.00~~  
~~Temporary expansion of premises . . . 120.00~~

(b) The annual license fee for any "on sale" liquor license may be paid in advance in two (2) equal installments, one sixty (60) days prior to the expiration of the license year and the other on or before six (6) months prior to the expiration of the license.

(c) All "on sale" and "off sale" applicants shall pay a nonrefundable investigative filing fee ~~in the sum of five hundred dollars (\$500.00) if the investigation is conducted within the state. If the investigation is required outside the state the applicant shall pay a nonrefundable investigative filing fee of the greater of five hundred dollars (\$500.00) or the actual cost of the investigation, not to exceed ten thousand dollars (\$10,000.00)~~ as established in Appendix J, License Fee Schedule. No fee shall be paid when the following changes are filed with the department of licenses and consumer services:

(1) When a partner sells or transfers any share of the partnership to other members of the partnership;

(2) When a shareholder sells all or part of his or her shares of stock to persons who are already shareholders, officers, directors, or managers of the corporation and who are already listed as such on the current application;

(3) Any corporate reorganization where the new officers, directors, managers and shareholders are already named on the original application;

(4) When a business wishes to eliminate Sunday sales or wishes to downgrade the class of license it holds;

(5) When a personal representative of the estate of a deceased licensee files a certified copy of his or her appointment; or

(6) When the licensed premises have been diminished.

Section 4. That Section 362.60 of the above-entitled ordinance be amended to read as follows:

**362.60. Payment and receipt for fee; refunds.** (a) The applicant shall, on or before filing of an application, pay to the department of licenses and consumer services the fees required under ~~by~~ section 362.50, as established in Appendix J, License Fee Schedule, and the department shall give to such applicant a receipt in duplicate, a copy of which receipt shall be filed with such application.

(b) If any application for a new "on sale" or "off sale" license or for a renewal of an "on sale" or "off sale" license is denied or withdrawn, the fee paid under section 362.50(a) shall be refunded. If any application for a special license permitting the sale of intoxicating liquor on Sunday is denied or withdrawn, the sum ~~of thirty-six dollars (\$36.00)~~ established in Appendix J, License Fee Schedule shall be retained, and any sum over ~~thirty-six dollars (\$36.00)~~ the amount specified in Appendix J may be refunded.

Section 5. That Section 362.80 of the above-entitled ordinance be amended to read as follows:

**362.80. Penalty for late renewal.** In the event any application is granted which has not been filed on or before sixty (60) days prior to the expiration of the license year, before the license can be issued the applicant shall pay an additional fee ~~in the amount of twenty (20) per cent of the installment due~~ as established in Appendix J, License Fee Schedule, in addition to the regular license fee.

Section 6. That Section 362.90 of the above-entitled ordinance be amended to read as follows:

**362.90. Penalty for late installment.** (a) Any installment of license fee which is not paid by the due date, may be paid within fifteen (15) days thereafter upon payment of an additional fee in the amount of twenty (20) per cent of the installment due. Failure to make such payment within the time provided shall ipso facto cancel all rights of the licensee under the license, and the police department shall immediately close the place of business operated under such license.

(b) Provided, further, that if any former licensee, whose license has been canceled pursuant to the provisions of this section, makes an application for another license after such cancellation, such applicant shall, in addition to the payment of the required license fee, pay an additional amount ~~in the sum of seventy-one dollars (\$71.00)~~ as established in Appendix J, License Fee Schedule, to cover the necessary costs incurred by the city.